

Docket No. JAB 1425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bart DE CORTE et al.

Serial No. : 09/430,966 Art Unit: 1624

Filed : 11/01/1999
BALASUBRAMANIAN

Examiner: VENKATARAMAN

For : HIV REPLICATION INHIBITING PYRIMIDINES

I hereby certify that this correspondence is being hand delivered to the USPTO
Office of Petitions, Arlington, VA 22202,
on February 4, 2004

By:

signed _____

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OFFICE OF PETITIONS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the First Information Disclosure Statement mailed on August 11, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT References contained in form 1449 which are not enclosed in this facsimile will be sent as hard copies to the Examiner.

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB 1425/JJiT. This form is submitted in triplicate.

Respectfully submitted,



Jesús Juanós i Timoneda
Reg. No. 43,332
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1513
DATED: February 3, 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

as many streets as necessary)

Sheet 1 of 1

Compendio di Kuznetsov

Application Number	09/430,966
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Filing Date	11/01/1999
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First Named Inventor	Bart DE CORTE
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Group Art Unit	1624
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Examiner Name	VENKATARAMAN
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BALASUBRAMANIAN

Attorney Docket Number	JAB 1425
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OTHER - NON PATENT LITERATURE DOCUMENTS

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Examiner's Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	Translation	T ²
		VINGERHOETS, Antiviral activity TMC 125 SDM, CROI, San Francisco, Feb. 2004	No	
		ARNOLD, Conformational Flexibility of DAPYs: activity against resistant HIV, Aug. 2003	No	
		VINGERHOETS, Resistance before/after therapy - TMC 125C207, XII Resistance Mexico, June 2003	No	
		VINGERHOETS, Resistance profile clinical Isolates TMC 125, XII Resistance Mexico, June 2003	No	
		GAZZARD, TMC 125 C207 study treatment-experienced, CROI Seattle, Feb. 2002	No	
		LANGE, TMC 125 decay rate vs ERA, CROI Seattle, Feb. 2002	No	
		GAZZARD, 7 day treatment-experienced, WAC Barcelona, Jul. 2002.	No	
		LEWI, Potency & multiple binding modes of TMC 125, CROI Boston, Feb. 2003	No	
		M-P de BETHUNE, TMC 125 resistance profiles, Resistance, Mexico, June 2003	No	
		VINGERHOETS, TMC 125-C207 resistance analysis, Resistance, Mexico, June 2003	No	
		TMC 125 for 7 days in HIV-1+ individuals with NNRTI resistance (TMC 125-C207), AIDS, 17(18): F49-5A, Dec. 5, 2003	No	
		TMC 125 as 7d monotherapy in ARV-naïve subjects (TMC 125-C208), AIDS, 17(17): 2487-2494, Nov. 21, 2003	No	
		TMC 125 similar potency to 5-drug, 3-class regimen, AIDS, 17(18): 2623-2627 Dec. 5, 2003	No	
		UDIER-BLAGOVIC, Validation of a model for the complex of HIV-1 reverse transcriptase with nonnucleoside inhibitor TMC125, Journal of American Chemical Society, 2003, 125(20), pp.6016-6017	No	
		GULICK, New Antiretroviral drugs, Clinical Microbiology and Infection, 2003, 9(3), pp 188-193	No	
		LUDOVICI, Evolution of anti-HIV drug candidates. Part 3: diarylpyrimidine, (DAPY)analogues, Bioorganic & Medicinal Chemistry Letters (2001), 11(17), pp. 2235-2239.	No	

Examiner Signature		Date Completed	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18, if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.